

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

APPENDIX H

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff LANCASTER
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)
CLYMER & MUISER P.C.
403 W. CHESTNUT ST. LANCASTER, PA 17603
(717) 299-7101

DEFENDANTS

County of Residence of First Listed Defendant UIA
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known) HARTMAN UNDERHILL & BRUBAKER
221 E. CHESTNUT ST.
LANCASTER, PA 17602

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | PTF | DEF | PTF | DEF |
|---|--|---|--|
| Citizen of This State | <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 <input checked="" type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES | |
|--|---|--|--|---|--|
| <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise | PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights | PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act | <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609 | <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes |
| REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus: <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition | | | | |

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 U.S.C. § 1983

Brief description of cause:
Freedom of expression

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE UIA

DOCKET NUMBER

DATE 1/10/08

SIGNATURE OF ATTORNEY OF RECORD

James G. Brubaker

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

APPENDIX I

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIACASE MANAGEMENT TRACK DESIGNATION FORM

DONALD MILLER, III by and
through his parents and legal
guardians DONALD and TINA
MILLER, JR.
V.
PENN MANOR SCHOOL DISTRICT
and PENN MANOR SCHOOL DISTRICT
BOARD OF DIRECTORS

CIVIL ACTION

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. §2241 through §2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. (✓)

| | | |
|-----------------------|-----------------------------|--------------------------------|
| <u>1/15/08</u> | <u>LEONARD G. BROWN III</u> | <u>PLAINTIFF</u> |
| Date | Attorney-at-law | Attorney for |
| <u>(717) 299-7101</u> | <u>(717) 299-6115</u> | <u>len.brown@plymerlaw.com</u> |
| Telephone | FAX Number | E-Mail Address |

UNITED STATES DISTRICT COURT

APPENDIX A

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 726 DRYTOWN RD HOLTWOOD PA 17532

Address of Defendant: LANCASTER, PA

Place of Accident, Incident or Transaction: LANCASTER PA

(Use Reverse Side For Additional Space)

Does this case involve multidistrict litigation possibilities?

Yes ☐

No ☒

RELATED CASE, IF ANY:

Case Number: N/A

Judge

Date Terminated:

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes ☐

No ☒

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes ☐

No ☐

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes ☐

No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☒ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
(Please specify)

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
(Please specify)

ARBITRATION CERTIFICATION

(Check appropriate Category)

I, LEONARD G. BROWN, counsel of record do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

☒ Relief other than monetary damages is sought.

DATE: 1/15/08

LEONARD G. BROWN

Attorney-at-Law

83207

Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 1/15/08

LEONARD G. BROWN

Attorney-at-Law

83207

Attorney I.D.#

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

| | | |
|-------------------------------|---|------------------|
| DONALD MILLER, III. by and | § | |
| through his parents and legal | § | |
| guardians, DONALD and TINA | § | |
| MILLER JR.; | § | CIVIL ACTION NO. |
| | § | |
| Plaintiff, | § | |
| | § | |
| vs. | § | |
| | § | |
| PENN MANOR SCHOOL DISTRICT | § | |
| and PENN MANOR SCHOOL | § | |
| DISTRICT BOARD OF DIRECTORS, | § | |
| | § | |
| Defendants. | § | |

ORIGINAL VERIFIED COMPLAINT
FOR PRELIMINARY AND PERMANENT INJUNCTION AND OTHER RELIEF

Donald Miller, III, by and through his parents and legal guardians Donald Miller, Jr. and Tina Miller, brings this complaint against the Penn Manor School District ("PMSD") and its board of directors, agents and employees and alleges the following:

I. INTRODUCTION

1. The Penn Manor School District has implemented and enforced a vague Orwellian policy to censor a student's patriotic speech. PMSD, through its agents and employees, censors both pro-American political and patriotic speech and also equates such expression with student speech which is obscene. Students' expressions of support for America's military and the brave law-enforcement personnel fighting terrorists at

home and abroad are subject to the administration's restrictions on illegal behavior. This policy essentially makes a student's patriotic expressions subordinate to a teacher's or administrator's subjective interpretation of a vague policy. Additionally, PMSD has implemented additional unconstitutional policies which prohibit a student from expressing his firmly held religious beliefs regarding the "supremacy of a particular religion, denomination, sect, or point of view," or expressing an "inappropriate" viewpoint that "is a distraction to the educational environment." These policies are in direct conflict with case law permitting such speech in Pennsylvania schools.

2. High Schools in America are not enclaves of totalitarianism. Through its written policies and actions PMSD is violating the rights of each and every student on its campuses to freedom of speech and religion. PMSD, acting through its Superintendent and School Board, has implemented an Orwellian dress code and speech code that is vague, overbroad, allows the unfettered discretion of government actors to suppress speech and suppresses the discussion or expression of constitutionally protected and unabashedly pro-American opinions. Because the policies purposefully seek to quell political and religious expression, they violate clear constitutional prohibitions against viewpoint discrimination. This action seeks: (1) to permanently enjoin PMSD from prohibiting students' political and religious expression and speech through its policies, practices and customs; (2) a declaration that PMSD's policies are

unconstitutional; and, (3) nominal damages for violation plaintiff's constitutional rights.

II. JURISDICTION

3. This Court has jurisdiction over Plaintiff's causes of action arising under the First and Fourteenth Amendments to the Constitution of the United States and 20 U.S.C. § 4071 pursuant to 28 U.S.C. § 1331 and § 1343, 42 U.S.C. § 1983 and the Declaratory Judgment Act, 28 U.S.C. §§ 2201 and 2202.

III. VENUE

4. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because Defendants' actions arose within the boundaries of the United States District Court for the Eastern District of Pennsylvania.

IV. THE PARTIES

A. Plaintiff

5. Donald Miller, III, is a minor, under the age of eighteen (18), and is the natural-born son of Donald Miller, Jr. and Tina Miller, his parents. He is a ninth grade student at Penn Manor High School.

B. Defendants

6. Penn Manor School District is a municipal corporation with a board of directors, which is defendant Penn Manor School District Board of Directors, organized and existing under the laws of the Commonwealth of Pennsylvania. At all times alleged herein, defendants were acting under color of state law. The PMSD is located in Lancaster County,

Pennsylvania, and encompasses portions of Conestoga, Lancaster, Pequea, Manor and Martic Townships, Washington and Millersville Boroughs, as well as other small rural municipalities.

7. Penn Manor School District is composed of seven elementary schools (grades K-6), two middle schools (grades 7-8), and one high school (grades 9-12). The district encompasses 110 square miles; there are approximately 5,300 students in the school district, with approximately 1,900 attending the high school.
8. PMSD can be served through its Superintendent of Schools, Donald F. Stewart at P.O. Box 1001 Millersville, PA 17551.

V. STATEMENT OF RELEVANT FACTS

9. Plaintiff openly and proudly identifies himself as a patriotic American who supports America's military, which includes his uncle and other brave Americans who are on the front line in the war on terror fighting to protect us from islamo-facism and other terrorists. He believes that it is the duty of every American to protect this country and do what they can to honor and support our brave service men and women. Plaintiff further believes that he has the right to speak up and express his support for the Department of Homeland Security and to convince others of the need to defeat the terrorists who seek to harm America.
10. Plaintiff fears that defendants will continue to censor and threaten punishment against him simply for expressing his political beliefs and engaging in symbolic activities reflecting those beliefs.

11. On December 4, 2007, Mr. Miller wore a T-shirt to school which expressed his patriotic support for his uncle and the other American service men and women fighting against terrorists overseas. The front pocket of the shirt bears the statement "Volunteer Homeland Security" the back of the shirt reads: Special issue – Resident – Lifetime License. United States Terrorist Hunting Permit – Permit No. 91101¹ Gun Owner – No bag Limit." Both statements appeared over the silhouette of military issue side-arm.
12. The T-shirt in question was purchased at the PX (Post Exchange) at Fort Benning, GA, and was a gift to Donald before the uncle's deployment to Iraq. His uncle is currently in Iraq and serving on the front line in the war against terror helping to build a democratic society and eliminate America's enemies. Donald Miller wears the T-shirt to make the political and emotional statement that he supports his uncle, and all our armed forces, as they bravely exercise their duty to defend this great nation.
13. Mr. Miller resisted school officials' attempt to force him to wear the T-shirt turned inside out and hide his patriotic message.
14. Because Mr. Miller refused to suppress his own speech, Assistant Principal Christopher Moritzen, punished Mr. Miller with a two day detention for "failure to follow directions." Mr. Miller politely and properly refused to suppress his patriotism.

¹ This is an obvious reference to the terrorists attacks on September 11, 2001

15. On December 7, 2007, Mr. Miller, through counsel, requested that PMSD cease its unconstitutional censorship of his First Amendment right to free speech.
16. PMSD informed Mr. Miller's counsel on December 13, 2007, that the district will defer disciplinary action until after the School Board discusses the matter at a January 7, 2008, board meeting.
17. On January 7, 2008, the School Board decided to postpone disciplinary action against Mr. Miller until this case is resolved. The board further decided that, because the shirt bears the silhouette image of a gun and "clearly advocates illegal behavior,"² the shirt violated school regulations and Mr. Miller is not permitted to wear the shirt. The decision of the board is an unconstitutional prohibition on Mr. Miller's patriotic speech.
18. PMSD's practice of censoring political and patriotic speech is a denial of Mr. Miller's right to free speech guaranteed by the First Amendment of the United States Constitution.
19. PMSD has in place additional policies which are facially unconstitutional and must be enjoined. These policy portions are discussed further below.
20. This civil action is necessary because PMSD's policies and actions are an ongoing violation of the United States Constitution.

² See letter from Robert M. Frankhouser, Jr., counsel for the School Board dated January 8, 2008, attached hereto as Exhibit D.

A. PMSD's Policies and Regulations

21. Student life at Penn Manor High School is governed in part by the Student Handbook as well as by policies adopted by the PMSD School Board. The Student Handbook details the administrative policies as well as regulations on student behavior. It also details the school's expectations for appropriate student attire. The "School Dress Expectations" will be referred to throughout this Complaint as PMSD's "dress code."
22. The School Board, from time to time, adopts policies designed to govern all PMSD students and personnel.
23. On February 8, 1999, the School Board adopted Policy 220 relating to Student Expression.

1. School Dress Expectations

24. The PMHS student handbook notifies students and parents regarding the policies and procedures which govern student life at PMHS. The school dress code is part of that handbook and is attached as Exhibit "A"
25. The dress code reads, in part: "The main rule for all students is that of commonsense and good judgment. If the faculty and administration **feel** that a student is displaying poor taste in appearance, it will be brought to his or her attention." *Id.* at 17. (Emphasis added)
26. The dress code further provides: "Inappropriate Dress: shorts or skirts above mid-thigh, tank tops, muscle shirts, inappropriate messages, or

anything ***that is a distraction to the education environment.***” *Id.* at 34 (Emphasis added).

27. District Policy 221 provides the district’s policy on dress and grooming. No where does the policy prohibit the shirt Mr. Miller desires to wear. See Exhibit B attached hereto. The student handbook however, prohibits messages on shirts that “advertise alcoholic beverages, drugs, offensive or obscene language, or messages that promote violence.” Student Handbook attached hereto as Exhibit A at 17.
28. The Student Handbook punishes violations of the dress code policy with detention and “further disciplinary action.”

2. District Policy 220 - Student Expression

29. On February 8, 1999, the Board enacted District Policy 220 entitled “Student Expression” which purports to have the purpose of “respecting the rights of students to express themselves” so long as that expression does not interfere with “the District’s responsibility to maintain an orderly school environment and to protect the rights of all members of the school community.” The policy is attached hereto as Exhibit C.
30. District Policy 220 states:
- The Board reserves the right to designate and prohibit manifestations of student expression that are not protected by the right of free expression because they violate the rights of others. Such expressions are those which:
1. Libel any specific person or persons.
 2. ***...Seek to establish the supremacy of a particular religious denomination, sect or point of view.***

3. Advocate the use or advertise the availability of any substance or material that may reasonably be believed to constitute a direct and substantial danger to the health of students.
 4. Are obscene or contain material deemed to be harmful to impressionable students who may receive them.
 5. ***Incite violence, advocate the use of force or urge violation of law or school regulations.***
 6. Advertise goods or services for the benefit of profit making organizations.
 7. Solicit funds for non-school organizations or in situations when such solicitations have not been approved by the Board.
31. Although purportedly adopted in 1999, District Policy 220 is not contained in the 2005-2006 Student Handbook.

3. Effect of the Dress Code and District Policy 220 on Plaintiff.

32. Plaintiff is proudly American and desires to proclaim his loyalty to his uncle and other American service personnel by honoring and advocating for their mission overseas – to protect America by eliminating the threat terrorists pose to America.
33. The United States Department of Homeland Security is a Cabinet level department authorized by Congress and charged with the task of protecting our borders and coordinating the efforts of the military and law enforcement to protect America from all enemies, both foreign and domestic. The Department's stated mission declares:

We will lead the unified national effort to secure America. We will prevent and deter terrorist attacks and protect against and respond to threats and hazards to the nation. We will ensure safe

and secure borders, welcome lawful immigrants and visitors, and promote the free-flow of commerce.³

34. Plaintiff's T-shirt advocates and promotes the mission of the Department of Homeland Security and the mission his uncle and others are currently fighting in Iraq and Afghanistan.
35. Plaintiff's T-Shirt does not advocate any violence against any one specific individual.
36. Plaintiff's T-shirt does not advocate any illegal behavior; quite the contrary, Plaintiff's T-shirt advocate's action specifically authorized by Congress.
37. Plaintiff's T-shirt does not advocate the violation of any law or school regulation. Currently there is a \$25 million dollar bounty on terrorist Osama bin Laden and in July, 2007, the House of Representatives authorized the Department of State to increase that bounty to \$50 million.⁴
38. District Policy 220 and the Dress Code (with its arbitrary interpretation by faculty and administration) has a chilling effect on Plaintiff's rights to freely and openly engage in appropriate expressions of his patriotism and other ideological and political theories, ideas or beliefs. By adopting the Dress Code and District Policy 220, Defendants violated the rights guaranteed to Mr. Miller, and all PMSD students, by the First and

³ <http://www.dhs.gov/xabout/strategicplan/index.shtm>

⁴ H.R. 3826 Title: To amend the State Department Basic Authorities Act of 1956 to increase the maximum amount of an award available under the Department of State rewards program for information leading to the capture of Osama bin Laden. Latest Major Action: 10/15/2007 Referred to House committee. Status: Referred to the House Committee on Foreign Affairs.

Fourteenth Amendments to the Constitution of the United States of America. These rights are clearly established by governing legal authority, and Defendants' violations are knowing, intentional and without justification.

39. District Policy 220 and the Dress Code, as outlined above, are vague, overbroad and discriminatory on the basis of political viewpoint and constitute an illegal prior restraint on the Plaintiff's' rights of free speech. District Policy 220 and the Dress Code are, therefore, facially invalid under the Free Speech and Free Exercise of Religion clauses of the First Amendment and the due process and equal protection provisions of the Fourteenth Amendment. As long as District Policy 220 and the Dress Code survive, PMSD is causing ongoing and irreparable harm to Mr. Miller and every student in the PMSD.

4. The Effect of the District Policy 220 on Plaintiff.

40. District Policy 220 prohibits the manifestation of a student's beliefs regarding the "supremacy of a particular religious denomination, sect or point of view."
41. With this policy in place, every student in PMSD is unable to fully express and maintain the belief that his or her religious faith represents the correct (or "supreme") way to look at life, ethics and morality.

VI. Causes of Action

Count I

**Violation of Plaintiff's Rights to Freedom of Expression
And Due Process of Law (42 U.S.C. § 1983) – Censoring of Speech**

42. Plaintiff incorporates and adopts by reference each and every allegation in the preceding paragraphs of this Original Verified Complaint.
43. Students do not forfeit their First Amendment rights when they enter public schools. In fact, the First Amendment protects the very political speech and expression at issue here.
44. The First Amendment forbids PMSD from regulating speech in ways that “favor some viewpoints or ideas at the expense of others.” *Lamb's Chapel v. Center Moriches Union Free Sch. Dist.*, 508 U.S. 384, 394 (U.S. 1993). Such viewpoint discrimination is presumed to be unconstitutional.
45. PMSD favors some political viewpoints while banning the political and patriotic viewpoints expressed Mr. Miller. By censoring Mr. Miller, PMSD has engaged in unconstitutional “viewpoint discrimination.”
46. The law prohibiting viewpoint discrimination was well established by 2007. PMSD had fair warning that their actions violated clearly-established law.

WHEREFORE, plaintiff demands judgment against defendants as set forth in his prayer for relief.

Count II
Violation of Plaintiff's Rights to Freedom of Expression
And Due Process of Law (42 U.S.C. § 1983) - Refusal to Allow Plaintiff to
Engage in Expressive Speech

47. Plaintiff incorporates and adopts by reference each and every allegation in the preceding paragraphs of this Original Verified Complaint.
48. Defendants' refusal to permit Plaintiff to wear a T-shirt which advocates the capture or elimination of America's enemies, namely, terrorists, is an unconstitutional violation of Mr. Miller's right to freedom of expression.

WHEREFORE, Plaintiff demands judgment against Defendants as set forth in his prayer for relief.

Count III
Violation of Plaintiff's Rights to Due Process of Law (42 U.S.C. § 1983) -
Unfettered Discretion

49. Plaintiff incorporates and adopts by reference each and every allegation in the preceding paragraphs of this Original Verified Complaint.
50. The manner in which Defendants review students dress and may, "[i]f the faculty and administration feel that a student is displaying poor taste in appearance, it will be brought to his or her attention" gives unfettered discretion to state officials acting under the guise of determining that the dress would be "appropriate."
51. By enacting a dress code containing guidelines on dress and student expression that are vague, overbroad and explicitly and implicitly discriminate on the basis of viewpoint, Defendants, acting under color of

state law, have deprived plaintiff of his clearly established right to due process.

WHEREFORE, Plaintiff demands judgment against Defendants as set forth in his prayer for relief.

Count IV
Facial Challenge To District Policy 220
Free Speech Clause of First Amendment

52. Plaintiff incorporates and adopts by reference each and every allegation in the preceding paragraphs of this Original Verified Complaint.

53. Defendants' policy prohibiting any expression regarding the supremacy of a religious point of view is an unconstitutional prior restraint on protected speech and is unconstitutional on its face.

WHEREFORE, plaintiff demands judgment against Defendants as set forth in their prayer for relief.

Count V
Facial Challenge To District Policy 220
Free Exercise Clause of First Amendment

54. Plaintiff incorporates and adopts by reference each and every allegation in the preceding paragraphs of this Original Verified Complaint.

55. Defendants' policy mandating intolerance for any speech regarding the "supremacy of a particular religion, denomination, sect, or point of view." is an unconstitutional prohibition on religious expression and is a facial violation of the free exercise clause.

WHEREFORE, Plaintiff demands judgment against defendants as set forth in their prayer for relief.

VII. RELIEF REQUESTED

WHEREFORE, Plaintiff requests the following relief:

1. A declaration by the court that defendants' present policies prohibiting speech in their policies and Student Handbook, are unconstitutional;
2. Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Plaintiff seeks a preliminary, and after trial, a permanent injunction ordering that Defendants be enjoined and restrained during the pendency of this action, and permanently thereafter, from:
 - a. Depriving Plaintiff of his rights under the First Amendment to include prohibiting Plaintiff from wearing a T-shirt which expresses his political and patriotic point of view and censoring Plaintiff's protected student expression;
 - b. Enforcing District Policy 220; and,
 - c. Enforcing various sections of the Student Handbook.
3. Plaintiff seeks nominal damages and compensatory damages from Defendants for their unlawful conduct.
4. Pursuant to 42 U.S.C. § 1988, an award to Plaintiff of reasonable attorney fees and costs.

5. An award to Plaintiff of such other and further relief as is just and proper.

Respectfully submitted,

CLYMER & MUSSER, P.C.

s/Leonard G. Brown, III LGB6402

LEONARD G. BROWN, III

Pennsylvania Bar No. 83207

CLYMER & MUSSER, P.C.

408 West Chestnut Street

Lancaster, PA 17603

(717) 299-7101 (717) 299-5115—facsimile

Dated: January 15, 2008

ATTORNEY FOR PLAINTIFF

Exhibit A

PENN MANOR HIGH SCHOOL
STUDENT HANDBOOK
2007/2008
STUDENT
ACKNOWLEDGEMENT
FORM

I have received a Penn Manor High School Student Handbook. I have read the contents of it, and understand the information in it, particularly the sections on school rules and attendance regulations.

Print Student Name

Student Signature

Date

Homeroom

TABLE OF CONTENTS

| | |
|---|---------|
| Alma Mater | 1 |
| Board of Directors/Central Administration | 2 |
| Administrative and Support Personnel | 3 |
| High School Office Hours | 3 |
| Diversity Statement of Purpose | 4 |
| Mission Statement | 4 |
| Principal's Message | 5 |
| Faculty Directory | 6 - 11 |
| Classroom Directory | 12 |
| Emergency School Closing | 13 |
| Student Lockers | 13 |
| Student Parking | 13 |
| Unauthorized Devices | 14 |
| Security | 15 |
| Cafeteria Procedures | 15 |
| Peer Medication Program | 15 - 16 |
| Code of Conduct | 16 |
| Daily Attendance | 16 |
| Grading System | 16 |
| Working Papers | 17 |
| School Dress | 17 |
| Bus Transportation | 18 |
| Counseling Services/dates | 18 - 20 |
| Service Learning Program | 21 |
| Graduation Requirements | 21 - 22 |
| Bell Schedule | 22 - 24 |
| Athletics/Clubs | 25 |
| Sapphire | 25 - 26 |
| National Honor Society | 26 |
| Summer School | 26 |
| Graduation Project | 27 - 30 |
| Student Assistance Program | 30 |
| Offense/Punishment Chart | 31 - 36 |
| Drug/Alcohol Policy | 31 |
| Tobacco Policy | 32 |
| Detention/Saturday School Calendar | 36 |
| Plagiarism Policy | 36 - 37 |
| Internet Policy | 37 - 39 |
| Suspension/Detention/Saturday School | 39 - 40 |
| Important Links | 40 |

Penn Manor
High School

ALMA MATER

Glory and honor to thee, Penn Manor High
We lift our voices in praise to thy name
Teach us the way of truth; strengthen and
Build our youth

As we go forward to build thy fame.
Onward and upward we'll strive eternally.
Pass on the torch as we sing to thy praise
Our Alma Mater dear, thy Sons and
Daughters here
We'll ne'er forget thee in all our days.

*Written by: Eileen Killian '62
June Finney '62*

PENN MANOR SCHOOL DISTRICT

www.pennmanor.net

2007/2008

BOARD OF DIRECTORS

C. Willis Herr.....President

Dr. Richard L. Frerichs.....Vice President

Joseph P. DeLuca

Johnna M. Friedman

Frank T. Geist

Jeffrey G. Kreider

Jeffrey E. Lyon

Carlton L. Rintz

Donna J. Wert

CENTRAL ADMINISTRATION

Donald F. Stewart.....Superintendent of Schools

Ellen Pollock...Administrative Assistant for Curriculum & Instruction

Dr. Michael G. Lechliter...Administrative Assistant for Personnel & Planning

Christopher Johnston.....Administrative Assistant for Business

Stephen B. Skrocki...Administrative Assistant for Planning and Operations

Beth Campagna.....Coordinator of Special Services

EMPHASIS ON ACADEMICS

Your school experiences are an important part of your preparation to be a success. The key to that preparation is striving to achieve your personal best. Our goal is to stress academic excellence for all students, while offering many educational opportunities. Concentrate your energies on working hard.

DIVERSITY STATEMENT OF PURPOSE

The Penn Manor School District is committed to educating all its students with the skills and knowledge that will enable them to learn and work in an independent global society by fostering respect, appreciation and understanding of themselves and others.

Penn Manor is a diverse community; a fact the district considers an asset and source of pride and enrichment. Accordingly, statements, symbols or behaviors initiated by any member of the school community which insult, degrade, harass or stereotype any other person for any reason are unacceptable.

This statement is a general expression of how all individuals in the Penn Manor School District should relate to one another. Specific rules of conduct are contained in other board policies and building handbooks.

MISSION STATEMENT

The Penn Manor School District shall strive for academic and personal excellence by fostering a democratic environment which motivates students, teachers, administrators and parents to work collaboratively to improve the instructional program.

PHILOSOPHY

The Penn Manor School District recognizes, develops and nurtures the intelligence and sensitivities of its children and adults. It provides a positive and supportive atmosphere where staff and students work collaboratively to define and accomplish goals. A great school district emphasizes academic achievement, promotes cultural awareness and offers opportunities for personal growth; it is a place where teachers enjoy teaching and students enjoy learning.

HIGH SCHOOL ADMINISTRATIVE & SUPPORT PERSONNEL (717) 872-9520

Dr. Janice M. Mindish.....Principal
Mr. Philip B. Gale.....Associate Principal
Mr. Jason D'Amico.....Assistant Principal
Mr. Richard D. Eby.....Assistant Principal
Mr. Christopher E. Mortzen.....Assistant Principal
Officer Jason D. Hottenstein.....School Resource Officer
Mr. Jeff Roth.....Athletic Director
Mrs. Stacy Rupert.....Attendance Officer
Dr. Robert Hoepfel.....Psychologist
Mr. Darrin Donmoyer.....Student Assistance Program Team Leader
Mrs. Anne A. Butterfield.....School Nurse
Mrs. Marjean Long.....Guidance Counselor
Mrs. Jessica Minko.....Guidance Counselor
Mrs. Melissa Ostrowski.....Guidance Counselor
Mrs. Mary K. Prescott.....Guidance Counselor
Mr. James C. Yearsley.....Guidance Counselor
Ms. Brandy Yocum.....Guidance Counselor
Mr. Shawn Beard.....Technical Support
Mr. James Nelson.....Technical Support

SECRETARIAL/CLERICAL STAFF

Mrs. Charlotte Dammerman.....Principal's SecretaryExt. 1809
Mrs. Patti Jo Peters.....Associate Principal's Secretary.....Ext. 1803
Mrs. Diana Alston.....Assistant Principal's Secretary.....Ext. 1801
Mrs. Nerida Forgrave.....Assistant Principal's Secretary.....Ext. 1802
Mrs. Cindy Bachman.....Athletic Director's Secretary.....Ext. 2367
Mrs. Dianna Lowe.....Guidance Secretary.....Ext. 1821
Mrs. Phyllis Martin.....Guidance Secretary.....Ext. 1820
Mrs. Traci Frantz.....Library Assistant.....Ext. 1360
Mrs. Jan Rankin.....Library Assistant.....Ext. 1360
Mrs. Pamela Yamell.....Library Assistant.....Ext. 1360

OFFICE HOURS

The main office is open from 7:15 a.m. to 3:45 p.m. Monday thru Friday throughout the school year. All business must be conducted during these times. The telephone switchboard is operational during office hours.

Faculty Directory
(717) 872-9520

AGRICULTURE

Mrs. Fay Ext. 1593
carole.fay@pennmanor.net
 Mr. Fellenbaum Ext. 1590
neil.fellenbaum@pennmanor.net
 Ms. Spangler Ext. 1592
valerie.spangler@pennmanor.net
 Mr. Webreck Ext. 1591
matthew.webreck@pennmanor.net

ART

Mr. Anderson Ext. 1932
doug.anderson@pennmanor.net
 Mrs. Gingerich Ext. 1581
karen.gingerich@pennmanor.net
 Mrs. Hay Ext. 1580
teri.hay@pennmanor.net
 Mr. Himes Ext. 1583
jeffrey.himes@pennmanor.net
 Mrs. Ioannidis Ext. 1584
mary.ioannidis@pennmanor.net

Mrs. McMullen Ext. 1586
kimberly.mcmullen@pennmanor.net
 Mrs. Thompson Ext. 1582
candace.thompson@pennmanor.net

ATHLETIC DIRECTOR

Mr. Roth Ext. 1367
jeff.roth@pennmanor.net

ATTENDANCE

Mrs. Rupert Ext. 1824
stacy.rupert@pennmanor.net

BUSINESS

Mrs. Martin Ext. 1527
cynthia.martin@pennmanor.net
 Mrs. Wall Ext. 1529
amy.wall@pennmanor.net

Mr. Zeigler Ext. 1530
jim.zeigler@pennmanor.net

ENGLISH

Mrs. Astheimer Ext. 1565
holly.astheimer@pennmanor.net

PRINCIPAL'S MESSAGE

Welcome to Penn Manor High School. This handbook is designed to inform the student body and parents of policies and procedures established at Penn Manor High School. These policies are designed to ensure a productive educational environment. Additional information regarding the policies of the Penn Manor School District is found in the school calendar and on line at www.pennmanor.net

Student handbooks are mandatory. They are issued by the school district and are school district property. Each student will be required to have a student handbook with them throughout the school day. Handbooks serve as a communication device between administration, teachers, students, and parents. Handbooks that are lost or defaced must be replaced at a cost of \$7.00. Student handbooks are **NON-TRANSFERABLE**.

As we look forward to the 2007/2008 school year, we will continue to emphasize the importance of regular attendance. It is our hope that you will become involved in extracurricular activities as well as pursuing academic excellence. With a beautiful facility, state of the art technology, a dedicated faculty, a wide variety of course offerings and extra-curricular activities, you have every opportunity to be successful. Please take advantage of what Penn Manor has to offer you and get the most out of your education here. We take great pride in our low dropout rate which reflects the value our students place on their education. We challenge you to be another Penn Manor success story! Best wishes for a happy and enjoyable school year.

Sincerely,

Janice Mindish, Ed. D
 Principal, Penn Manor High School

Mr. Briola Ext. 1562
richard.briola@pennmanor.net
Ms. Frerichs Ext. 1572
melissa_frerichs@pennmanor.net
Mr. Hertzog Ext. 1567
scott.hertzog@pennmanor.net
Mr. Joyce Ext. 1571
timothy.joyce@pennmanor.net
Mr. Kaufhold Ext. 1564
michael.kaufhold@pennmanor.net
Mrs. May Ext. 1566
lisa.may@pennmanor.net
Mr. McGough Ext. 1561
greg.mcough@pennmanor.net
Mrs. O'Day Ext. 1569
cece.oday@pennmanor.net
Mr. Reinking Ext. 1568
brian.reinking@pennmanor.net
Mrs. Saylor Ext. 1563
marvann.saylor@pennmanor.net
Mrs. Stadden Ext. 1570
karen.stadden@pennmanor.net
Mr. Taylor Ext. 1952
jeffrey.taylor@pennmanor.net
Mr. Weaver Ext. 1918
philip.weaver@pennmanor.net
Mrs. Wolfersberger Ext. 1944
michelle.wolfersberger@pennmanor.net
FCS
Ms. Bechtold Ext. 1521
jennifer.bechtold@pennmanor.net
Mrs. Rottmund Ext. 1522
mindy.rottmund@pennmanor.net
Mrs. Sheerer Ext. 1938
elizabeth.sheerer@pennmanor.net
Ms. Slocum Ext. 1520
jill.slocum@pennmanor.net
FOREIGN LANGUAGE
Mrs. Baxter Ext. 1510
kathleen.baxter@pennmanor.net
Mrs. Bibiloni Ext. 1514
julie.bibiloni@pennmanor.net

Mr. Dell'Estate Ext. 1511
frank.dellestate@pennmanor.net
Mrs. Klingaman Ext. 1513
maureen.klingaman@pennmanor.net
Ms. Lombardi Ext. 1921
katherine.lombardi@pennmanor.net
Mrs. Mintzer Ext. 1515
melissa.mintzer@pennmanor.net
Ms. Saragosa Ext. 1939
julie.saragosa@pennmanor.net
Mrs. Smith Ext. 1516
nadine.smith@pennmanor.net
Mr. Zapata Ext. 1512
william.zapata@pennmanor.net
GUIDANCE/COUNSELING
Mr. Donnoyer Ext. 1814
darrin.donnoyer@pennmanor.net
Dr. Hoeppe Ext. 1813
bob.hoeppe@pennmanor.net
Mrs. Long Ext. 1818
marjean.long@pennmanor.net
Mrs. Minko Ext. 1815
jessica.minko@pennmanor.net
Mrs. Ostrowski Ext. 1822
melissa.ostrowski@pennmanor.net
Mrs. Prescott Ext. 1817
mary.prescott@pennmanor.net
Mr. Yearsley Ext. 1816
james.yearsley@pennmanor.net
Ms. Yocum Ext. 1810
brandy.yocum@pennmanor.net
IA/TE
Mr. Canady Ext. 1501
shawn.canady@pennmanor.net
Mr. Garrett Ext. 1502
joey.garrett@pennmanor.net
Mr. Knapp Ext. 1504
jim.knapp@pennmanor.net
Mr. McKnight Ext. 1505
sean.mcknight@pennmanor.net
Mr. Soto Ext. 1506
matt.soto@pennmanor.net

SPECIAL EDUCATION

Mr. Anderson Ext. 1932
 doug.anderson@pennmanor.net
 Mrs. Baireuther Ext. 1937
 diane.baireuther@pennmanor.net
 Mrs. Sallie Bookman Ext. 1204
 sallie.bookman@pennmanor.net
 Mrs. Brandt Ext. 1917
 heidi.brandt@pennmanor.net
 Mr. Churchill Ext. 1947
 jeff.churchill@pennmanor.net
 Ms. Schmitt Ext. 1943
 lauren.schmitt@pennmanor.net
 Mrs. Henderson Ext. 1915
 jodie.henderson@pennmanor.net
 Mrs. Meckley Ext. 1259
 deb.meckley@pennmanor.net
 Mrs. Moore Ext. 1919
 stephanie.moore@pennmanor.net
 Ms. Pace Ext. 1916
 kimberly.pace@pennmanor.net
 Ms. Przychodzen Ext. 1940
 Melissa.przychodzen@pennmanor.net
 Mr. Wainman Ext. 1948
 thomas.wainman@pennmanor.net

LIBRARY

Mrs. Hostetter Ext. 1360
 sue.hostetter@pennmanor.net

MATH

Mrs. Bender Ext. 1953
 elizabeth.bender@pennmanor.net
 Ms. Chismar Ext. 1923
 elizabeth.chismar@pennmanor.net
 Mrs. Frey Ext. 1607
 kim.frey@pennmanor.net
 Mrs. Good Ext. 1941
 lindsay.good@pennmanor.net
 Mrs. Grenier Ext. 1601
 kathy.grenier@pennmanor.net
 Mr. Kramer Ext. 1603
 doug.kramer@pennmanor.net
 Mrs. Kroesen Ext. 1602
 jen.kroesen@pennmanor.net
 Mr. Luft Ext. 1604
 gary.luft@pennmanor.net
 Miss Lutz Ext. 1605
 page.lutz@pennmanor.net
 Mr. Nguyen Ext. 1606
 phuc.nguyen@pennmanor.net

Mrs. O'Connor Ext. 1611
 dorina.oconnor@pennmanor.net
 Mr. Pierce Ext. 1600
 bruce.pierce@pennmanor.net
 Mr. Sahd Ext. 1608
 ben.sahd@pennmanor.net
 Mr. Staub Ext. 1930
 jarod.staub@pennmanor.net
 Ms. Stiklatis Ext. 1609
 angela.stiklatis@pennmanor.net
 TBA Ext. 1610

MUSIC

Mrs. Hamer Ext. 1597
 sue.hamer@pennmanor.net
 Mr. Mumma Ext. 1949
 thomas.mumma@pennmanor.net
 Mr. Reddig Ext. 1598
 skip.reddig@pennmanor.net
 Ms. Telesco Ext. 1596
 melissa.telesco@pennmanor.net

NURSE

Mrs. Butterfield Ext. 1356
 anne.butterfield@pennmanor.net

PHYSICAL EDUCATION

Mr. Basile Ext. 1539
 aron.basile@pennmanor.net
 Mr. Forgrave Ext. 1224
 robert.forgrave@pennmanor.net
 Mr. Hess Ext. 1536
 david.hess@pennmanor.net
 Mr. Hoffman Ext. 1537
 wayne.hoffman@pennmanor.net
 Mr. Maxwell Ext. 1532
 shawn.maxwell@pennmanor.net
 Mrs. Paquette Ext. 1347
 heather.paquette@pennmanor.net
 Ms. Schwab Ext. 1538
 ashli.schwab@pennmanor.net
 Mrs. Vickers Ext. 1540
 diane.vickers@pennmanor.net
 Mr. Weidner Ext. 1541
 stephen.weidner@pennmanor.net

SCIENCE

Mr. Bender Ext. 1901
 david.bender@pennmanor.net
 Mr. Chismar Ext. 1902
 paul.chismar@pennmanor.net
 Mr. Dutches Ext. 1538
 erick.dutches@pennmanor.net

Class Room DirectoryTech Wing, Level 100

Rooms: 100 - 107

West Wing, Level 200 (Foreign Language Wing)

Drafting - Room 200

Foreign Language - Rooms: 201 - 214

Learning Support - Rooms - 203 and 205

Family & Consumer Science - Rooms: 218, 222 and 234

Business - Rooms: 231, 235, 236, 238, 239 and 240

Fitness/Weight Room - Room: 237

Supplemental Education - Room 241

Music - Rooms: 246, 249, and 250

Emotional Support - Rooms: 242 and 244

AuditoriumWest Wing, Level 300 (Social Studies Wing)

Social Studies - Rooms: 300 - 311

Social Studies Media Center - Room 316

Learning Support - Room 317

English Media Center - Room 318

English - Rooms: 312, 315, 319, 322, 323, 325 - 330

Ag Area - Rooms: 331 - 333 and 342

Art - Rooms: 335, 336, 341, 343 - 345

Nurse - Room 356

Guidance - Room 355

Main Office - Room 351

GymnasiumEast Wing, Level 300 (Math & Science Wing)

Distance Learning Lab - Room 358

Library Media Center

Library Classrooms - 362 and 365

T.V. Studio - Room 364

Life Skills - Room: 387

Math - Rooms: 374, 375, 376, 378, 380, 382, 383, 384, 386, 388

and 392

Science - Rooms: 377, 381, 389 and 393

GymnasiumIndoor Track & WrestlingEast Wing, Level 400

Science - Rooms: 401, 402, 403, 404, 407, 409, 410, 419

Learning Support - Room: 408

EMERGENCY SCHOOL CLOSINGS

In case of severe weather, school postponements and cancellations will be announced on the following radio and television stations:

WSBA-AM-910
WSBA-FM-103
WLPAC-AM-1490
WDAC-FM-94.5
WLAN-AM-1390
WLAN-FM-97
WIOV-FM-105
WQXA-FM-105.7
WRKZ-FM-107
WJTL-FM-90.3
WGAL-TV-CHANNEL 8
WLYH-TV-CHANNEL 15

You can also access the information on the Web at:

www.wgal.com

PENN MANOR SCHOOL DISTRICT EMERGENCY INFORMATION

872-9500 ext. 2333

ASSEMBLIES AND EVENTS

We expect all students to represent Penn Manor High School in a respectful manner. Your behavior is a reflection of the values inherent in the community and the school. We ask cooperation in behaving responsibly so that discipline is not imposed.

CLOSED CAMPUS

No student may leave the school grounds after arriving on campus without permission from an administrator, and must remain indoors for class passing. Students from other schools are not permitted to visit Penn Manor, and Penn Manor students are not excused to visit other high schools.

STUDENT LOCKERS

The Penn Manor School District, the administrators and staff members are not responsible for articles lost or stolen from any locker. Lockers are subject to inspection by the school administration at any time. Lockers are provided at student's request.

STUDENT PARKING

Students in grades 11 and 12 **ONLY** are eligible to purchase a student parking tag. Students maintaining a good discipline record and good attendance are eligible for a parking permit. Parking may be revoked for attendance, class failures, and disciplinary offenses. Students should apply at the main office for the permit. Cost of tags are \$25.00 and may be paid by cash or check made payable to Penn Manor School District.

You will also need to bring in current registration card and current insurance card. Additional rules and regulations will be given to students at the time of registration. Cars not displaying an appropriate permit will be issued a \$25.00 parking violation ticket by the Millersville Borough Police Department. Also, cars may be towed at the owner's expense. Parking is a privilege and may be revoked at any time for disciplinary reasons, or if your driving is deemed hazardous by the administration. Parking tags are **NON-TRANSFERABLE**. Students may not share their parking tags with other students for any reason. Parking on campus is limited. Additional parking is available at Comet Field. Students will be placed on a waiting list once all parking spaces are filled. Grades, attendance, discipline records, and activities are taken into consideration for students on the waiting list.

GIFTS/FLOWERS

Gifts or flowers delivered to the high school office can be picked up in the office before leaving for the day.

TELEPHONE USE

Students are asked not to use office phones for personal business. Cell phone use is prohibited from 7:40 am to 2:45 pm. Any exception must have administrator approval.

SKATEBOARDS

Students are not permitted to have skateboards on the campus. Penalty will be confiscation and returned at the end of the school year.

UNAUTHORIZED DEVICES

Students are prohibited to have pagers, laser pointers, beepers, walkmans/ipods/MP3 players, hand held games, portable radios, cellular phones, and laptops during school hours. These items will be confiscated if they are being used during school hours. Students assume all risk of bringing these items to school and understand that these items must be turned off and out of sight during the school day. Also, inappropriate garment accessories will be confiscated.

HALL CONDUCT/CLASS EXCHANGE

Since school hallways are public hallways, respect the rights of others. Make every effort to change classes quietly and move to the next class without delay. Do not congregate in hallways. This may result in disciplinary measures. Eight minutes are allotted to change classes. Tardiness will be handled by the class teacher. Be sure to have a proper pass while in the halls during class time or, be subject to disciplinary action.

CARE OF BOOKS AND EQUIPMENT

Textbooks, supplies, tools, and equipment are provided for student use. These items are costly and should be treated with care. An obligation or fine will be issued to anyone losing school property or returning it in poor condition.

SECURITY

All doors except the administration entrance will be locked by 7:45 a.m. Students are to enter and exit through the office door during the day.

CAFETERIA PROCEDURES

Much of the success and pleasantness of the lunch period depends upon how you carry through with the planned operation.

1. All students are required to eat lunch in the cafeteria.
2. The cafeteria is a vital part of the school. Any acts of immaturity like running, throwing food, or misuse of any cafeteria item will not be tolerated.
3. If you buy lunch, please be polite and patient in line. There will be no cutting or saving places in the lunch line. Book bags and coats are not permitted in the serving area.
4. The removal of food or drink outside the cafeteria area is prohibited.
5. Dispose all lunch litter in wastebaskets and return all trays, plates and utensils to the dish room.
6. Students are not permitted to leave the cafeteria during the lunch period.
7. Failure to comply with the cafeteria procedures will result in assigned seating during lunch.
8. Stealing or taking food from the cafeteria will be treated as theft. Theft will be referred to police for prosecution.
9. Throwing food or other items and leaving trash behind will result in cleaning the cafeteria for an extended amount of time.
10. Any student serving lunch detention is required to remain in the assigned seating area until dismissal time.

PEER MEDIATION PROGRAM

Conflict is a normal part of life. All too often conflicts go unresolved or escalate into verbal and physical confrontations. Penn Manor's Peer Mediation Program helps students resolve their conflicts peacefully. Peer Mediation sessions are conducted by students who are trained as peer mediators. Students are used as peer mediators because conflicts are often best resolved with the help of their peers. During peer mediation, the students in conflict are given the chance to explain their side of the story without interruption. Students are then given the chance to respond and clarify what the other person has reported. The final stage involves coming up with a mutually

agreed upon plan for resolving the conflict peacefully. A written agreement is signed and a follow-up meeting may be scheduled to monitor the success of the agreement. Peer mediation is a confidential process.

CODE OF CONDUCT

Every student participating in any extracurricular activity must realize they are representing the entire student body of Penn Manor High School. It is their responsibility to display an attitude and conduct of which we can all be proud. A Code of Conduct has been adopted by the Board of Directors to ensure everyone understands what is expected of them. Advisors and coaches will review the code with extracurricular participants.

DAILY ATTENDANCE

Penn Manor High School believes student success is dependent upon regular attendance. Students who are returning from an absence or who are tardy must report to the library until 8:00 a.m. After 8:00 a.m. students need to report to the main office for an admit slip before going to their first block class. Students who arrive to school after 1:11 pm will be marked as a full day's absence.

Students are responsible for make-up work missed during an absence.

Due to the importance of attending school regularly, students with excessive absences may be required to have a doctor's note following any absence once 11 absence dates have accumulated for the year. An excuse must be presented to the attendance office within 3 days or the absence will be recorded as unexcused. If the parent/guardian fails to do so, the absent date(s) will be listed either unlawful or unexcused (depending upon age). There will be no academic make-up privilege for unexcused absences or truancies. Other attendance penalties are explained in the offense punishment chart. Pre-planned trip forms must be completed five days prior to the trip for approval or the days missed will be considered unexcused.

GRADING SYSTEM

Report cards are issued at 9 weeks intervals.

- A – Consistently Superior (90%-100%)
- B – Above Average (80%-89%)
- C – Average (70%-79%)
- D – Lowest Passing Grade (60%-69%)
- F – Failure (Below 60%)
- P – Pass (Over 60%)
- I – Incomplete

Students are responsible for make-up work missed during an absence.

VISITORS

All visitors should enter through the administration door and sign in. A visitor's badge will be given in exchange for driver's license or car keys.

WORKING PAPERS

Any student under eighteen years of age who wishes to obtain employment must first acquire working papers. Parent or guardian must come into the high school main office with student's **original birth certificate or baptismal certificate** (documentation showing place and date of birth). Office hours are 7:15 a.m. to 3:45 p.m.

TRANSFERS AND WITHDRAWALS

Parents of students transferring to another school or contemplating withdrawal should consult their guidance counselor, or the school principal at the elementary level. Books and library materials must be returned before a transfer occurs. The school district to which the family is moving will write for the child's transcript and health records.

SCHOOL DRESS EXPECTATIONS

The main rule for all students to follow is that of common sense and good judgment. If the faculty and administration feel that a student is displaying poor taste in appearance, it will be brought to his or her attention. Examples of unacceptable dress:

- Hats and headbands are not to be worn inside the building.
- Muscle shirts, spaghetti straps, see-through tops, tank tops, shirts or pants that expose bare midriffs are not permitted.
- Shirts and other items which advertise alcoholic beverages, drugs, offensive or obscene language, or messages that promote violence may not be worn.
- Shorts and skirts **must** be mid thigh.
- Other attire may be questioned by the faculty and the administration and may be deemed inappropriate.

Students who wear inappropriate clothing: **First offense:** turn inside out/change clothes. **Second offense:** 1 hour detention and change clothes and notify parent. **Third offense:** meeting with administrator and further disciplinary action.

BUS TRANSPORTATION

Buses provide transportation to and from school only!

Students are not allowed to ride on another student's bus or get off at a different stop. **If a student is working on a school related project with another student, both students need to have a note signed by the teacher and parent/guardian to allow them to ride on another bus.** The note must be submitted to the main office 3 days in advance. Bus privileges may be revoked due to disciplinary infractions.

PENN MANOR SCHOOL DISTRICT

SCHOOL BUS AUDIO AND VIDEO MONITORING POLICY

The Penn Manor School District wants to ensure the safety of its students while being transported to and from school and school-related activities on school buses. As part of its safety effort, the school district randomly places surveillance cameras with audio and video capabilities on all buses to deter and detect student misbehaviors. The school district affirms that students should not have an expectation of privacy when riding the school district's buses, nor should they have the expectation that the school district buses will not record their actions or words. The school district asserts that students and their parents/guardians consent to the district's audio/visual monitoring through the students' use of the school buses.

STOLEN ITEMS

Stolen items should be reported to the main office. If items were stolen in class student should notify teacher and teacher should notify the main office immediately.

COUNSELING SERVICES

All students in grades 9-12 have been assigned to a counselor as follows:

| | | |
|----------------------------|---------------------------------|---------|
| Ms. Yocum - Ext. 1815 | Grades 9-12 | A-Do |
| Mrs. Prescott - Ext. 1817 | Grades 9-12 | Dr-Hol |
| Mr. Yearsley - Ext. 1816 | Grades 9-12 | Horn-Mu |
| Mrs. Long - Ext. 1818 | Grades 9-12 | My-So |
| Mrs. Minko - Ext. 1815 | Grades 9-12 | Sp-V |
| Mrs. Ostrowski - Ext. 1822 | Grades 9-12 | W-Z |
| Mrs. Martin - Ext. 1820 | Counseling Department Secretary | |
| Mrs. Lowe - Ext. 1821 | Counseling Department Secretary | |

The counseling office is located next to the main office.

The school counseling program at Penn Manor High School has an integral role in the educational development of our students. The school counselors provide assistance to students in achieving their full academic potential. We assist them in developing and applying skills needed to enhance personal, social, career, and academic growth.

Important Test Dates

SAT I/SAT II at Penn Manor
(regular registration deadline 9/7/07)

October 6, 2007

October 17, 2007

October 17, 2007

October 17, 2007

March 1, 2008

June 14, 2008

June 14, 2008

ACT at Penn Manor
The SAT I, SAT II and ACT are offered at additional testing sites on other dates and may be taken more than once in a school year. The other dates and may be taken more than once in a school year. The other dates and may be taken more than once in a school year. The other dates and may be taken more than once in a school year.

PSAT may be taken one time each year by sophomores and juniors. The counseling department recommends that all college-bound juniors take the PSAT in the fall and the SAT I and ACT in the Spring. College bound seniors should take the SAT I and ACT again in October. For more information including special accommodations for the above tests call Mr. Yearsley (872-9520, ext. 1816).

Other dates

November 05, 2007

November 05, 2007

January 07, 2008

T.B.A.

April 17, 2008

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

May 5 -- 9, 12 -- 16

Counseling Approach and Background: All counselors in the guidance office hold a Master's degree and state certification in School Counseling. The approach of our school counselors is based on helping students identify those issues and emotions in their lives that may interfere with their ability to learn. We use a variety of methods to help identify those barriers. We may ask students to examine their thoughts, feelings and behaviors. We then counsel students and consult with school personnel and families to develop plans that address the issues so that students are free to pursue their academic goals. Services provided by the school counselors might include individual and group counseling, classroom and individual guidance (course selection, career exploration, scheduling), dissemination of educational information (college, grades, test interpretation), and coordination of the test-taking process (SAT, ACT, ASVAB, AP, PSAT and specified individualized tests). Common concerns for students are personal issues, peer relationships, academic progress, and transition/career planning.

Appointments: Counselors are assigned to work with specified students from each grade level. Counselors are available to meet with students throughout the school day. Students can make an appointment with their assigned counselor by filling out an appointment slip in the counseling office. Counselors also issue passes for students to report to the counseling office.

Confidentiality: As school counselors, we will attempt to work with parents while emphasizing the confidential nature of the counseling relationship between counselor and counselee. Confidential means that the content of discussion between counselor and student will not be shared with others except under certain circumstances. The circumstances under which the counselor may share information include:

- There is a concern that a student may be at risk of harming themselves or someone else
- There is reasonable concern that a student is being abused or harmed

The following information can be accessed from the Penn Manor High School Counseling Department web page:

www.pennmanor.net/schools/hs/Counsel/index.htm

WHAT'S AVAILABLE IN THE COUNSELING OFFICE:

| | |
|--|---------------------------------|
| ACT Registration Materials | Advanced Placement Test Info. |
| Summer School Information | Career Files |
| College Handbooks | College Catalogues |
| College Files | College Videos |
| Financial Aid Information | Governor's School Info. |
| Job Opportunities | Mental Health Referral Sources |
| Military Information | NCAA Information |
| Self-Help Brochures | Schedule of College Rep. Visits |
| PSAT Registration Materials | SAT Registration Materials |
| Scholarship Information | Volunteer Information |
| Career & Technology Center Information | |

COLLEGE APPLICATIONS

Applications to colleges, universities and trade schools are available in the counseling office from college World Wide Web home pages and directly from the school. Most schools require applicants to send a copy of their high school records -- a transcript -- together with the application. **The counseling office needs ten (10) working days to prepare a transcript to be sent.** It is strongly advised that all applications and transcripts be mailed to the respective schools by November 1 of your senior year. Please allow ten (10) working days for a written recommendation. Penn Manor's school code number: 392-655 (used for college applications and testing).

SERVICE LEARNING PROGRAM

Project Coordinator: Dr. Robert Hoeppel
Service Learning is an instructional strategy in which students apply what is taught in the classroom to the real world by performing a service project that meets a community need. The purpose of Service Learning is to create a learning environment in which students can develop and implement solutions to community problems.

HOMEWORK

1. Homework is an important component of the learning process. A positive relationship exists between homework and achievement. Parent involvement is essential for the student to acquire the proper attitude toward study. Students, however, must accept responsibility for home study.
2. Homework is to be part of a student's nightly routine.
3. Homework has three (3) primary objectives: preparation, practice, and extension. Homework helps to prepare students for a lesson. Through practice, it provides students with an opportunity to reinforce new skills and to apply new learning. It also extends student learning beyond the work begun in class by encouraging the individualized and creative pursuit of knowledge.
4. Students are asked to:
 - Carry their agenda planner.
 - Develop a daily study routine (time, place).
 - Listen carefully in class.
 - Take notes in class.
 - Review notes daily.
 - Recognize that learning takes individual effort.

Graduation Requirements

Class of 2008 -- 28 Credits
Class of 2009 -- 28 Credits
Class of 2010 -- 28 Credits
Class of 2011 -- 28 Credits

Physical Education, Health Education, Safety Education and FCS requirements.

Students take (4) 90 minute block classes each semester Fall/Spring. G.P.A. determines class rank. All courses are used to determine G.P.A. except Career Internship and Work Study. AP courses are worth (2) two credits and receive one (1) extra quality points. Honors courses are worth one (1) credit and receive an extra .5 quality points.

BELL SCHEDULE

Regular Day:

| | | | |
|------------------------|-------|---|-------|
| Block 1 | 7:40 | - | 9:08 |
| Block 2 + 5 Minutes | 9:16 | - | 10:49 |
| Lunch A | 10:53 | - | 11:23 |
| Block 3 | 11:31 | - | 1:03 |
| Block 3 | 10:57 | - | 11:43 |
| Lunch B | 11:47 | - | 12:17 |
| Block 3 | 12:25 | - | 1:03 |
| Block 3 | 10:57 | - | 12:29 |
| Lunch C | 12:33 | - | 1:03 |
| Block 4 | 1:11 | - | 2:39 |
| Announcements (6 Min.) | 2:39 | - | 2:45 |
| Buses Depart at 2:55 | | | |

Activity Schedule:

| | | | |
|----------------------------|-------|---|-------|
| Block 1 | 7:40 | - | 8:54 |
| Block 2 + 5 Min & Activity | 9:02 | - | 11:19 |
| Group A Assembly | 9:07 | - | 9:57 |
| Group A Class | 10:05 | - | 11:19 |
| Group B Class | 9:02 | - | 10:21 |
| Group B Assembly/H.R. | 10:29 | - | 11:19 |
| Lunch A | 11:23 | - | 11:53 |
| Block 3 | 12:01 | - | 1:19 |
| Block 3 | 11:27 | - | 11:57 |
| Lunch B | 12:01 | - | 12:31 |
| Block 3 | 12:39 | - | 1:19 |
| Block 3 | 11:27 | - | 12:45 |
| Lunch C | 12:49 | - | 1:19 |
| Block 4 | 1:27 | - | 2:40 |
| Announcements (5 min.) | 2:40 | - | 2:45 |
| Buses Depart at 2:55 | | | |

Early Dismissal Schedule:

| | | | |
|------------------------|-------|---|-------|
| Block 1 | 7:40 | - | 8:30 |
| Block 2 + 5 Minutes | 8:38 | - | 9:33 |
| Breakfast A | 9:37 | - | 10:07 |
| Block 3 | 10:15 | - | 11:19 |
| Block 3 | 9:41 | - | 10:11 |
| Breakfast B | 10:15 | - | 10:45 |
| Block 3 | 10:53 | - | 11:19 |
| Block 3 | 9:41 | - | 10:45 |
| Breakfast C | 10:49 | - | 11:19 |
| Block 4 | 11:27 | - | 12:17 |
| Announcements (3 Min.) | 12:17 | - | 12:20 |
| Buses Depart at 12:30 | | | |

One Hour Delay:

| | | | |
|------------------------|-------|---|-------|
| Block 1 | 8:40 | - | 9:53 |
| Block 2 + 5 Minutes | 10:01 | - | 11:19 |
| Lunch A | 11:23 | - | 11:53 |
| Block 3 | 12:01 | - | 1:19 |
| Block 3 | 11:27 | - | 11:57 |
| Lunch B | 12:01 | - | 12:31 |
| Block 3 | 12:39 | - | 1:19 |
| Block 3 | 11:27 | - | 12:45 |
| Lunch C | 12:49 | - | 1:19 |
| Block 4 | 1:27 | - | 2:40 |
| Announcements (5 min.) | 2:40 | - | 2:45 |
| Buses Depart at 2:55 | | | |

Two Hour Delay:

| | | | |
|------------------------|-------|---|-------|
| Block 1 | 9:40 | - | 10:38 |
| Block 2 + 5 Min. | 10:46 | - | 11:49 |
| Lunch A | 11:53 | - | 12:23 |
| Block 3 | 12:31 | - | 1:33 |
| Block 3 | 11:57 | - | 12:25 |
| Lunch B | 12:29 | - | 12:59 |
| Block 3 | 1:07 | - | 1:33 |
| Block 3 | 11:57 | - | 12:59 |
| Lunch C | 1:03 | - | 1:33 |
| Block 4 | 1:41 | - | 2:39 |
| Announcements (6 min.) | 2:39 | - | 2:45 |
| Buses Depart at 2:55 | | | |

Penn Manor Athletics

Athletic Director Jeff Roth
 Athletic Trainer Dave Ohl
 Secretary Cindy Bachman

Penn Manor High School Sports

Baseball Boys Basketball
 Boys Soccer Boys Tennis
 Boys Volleyball Cheerleading
 Boys/Girls Cross Country Field Hockey
 Boys/Girls Swimming Football
 Boys/Girls Track & Field Girls Basketball
 Girls Lacrosse Boys Lacrosse
 Girls Soccer Girls Tennis
 Girls Volleyball Golf
 Softball Wrestling
 Bowling

Penn Manor High School Clubs

Business Lab 240 Math Lab 375
 Chess Club Military Club
 Cisco Lab 103 National Honor
 Society
 Dance Club Newspaper
 Debate Club Peer Helpers
 First Priority Peer Mediation
 Floor Hockey Quay's Club
 F.F.A. Serteen
 Gifted Dialogue Social Skills Club
 HR Rep Meeting Student Council
 Intramural Club T.S.A.
 I.T.S. Varsity Club
 Jazz Band Weight Room
 Journeys Club Yearbook
 Life 101 Youth Piece Council
 Manor Singers

K-12 ACCESS

It has been the Penn Manor School District's continued goal to use technology to improve communications between students, parents, and teachers. We believe that offering parents and guardians online access to their child's attendance and grading records is the next step forward in increasing both communication and parental involvement. The Penn Manor School District is pleased to be the first public school district in the Lancaster/Lebanon region to take this great step to offer online access to student attendance and grading information.

To deliver this system, Penn Manor School District has partnered with the web development firm, K-12. The K-12 system is a web site that teachers use to record daily attendance, exams and project grades, and homework assignments. When parents access the K-12 system, they will see attendance records and grade information for their child or children. K-12 can be accessed using the Penn Manor District web site. For technical questions or feedback about the system please contact Charlie Reisinger, Director of Technology at 872-9500 x2226

NATIONAL HONOR SOCIETY

For more than 75 years, the National Honor Society has been the leading organization for recognizing and involving outstanding students in secondary schools around the nation. Juniors and seniors become eligible for membership in the Penn Manor chapter by earning a cumulative GPA of 3.75 or greater. If academically eligible, candidates are mailed an invitation in August to apply for membership. Candidates complete an information form describing their school activities and write an essay detailing school and community service. All application packets are evaluated by the N.H.S. Faculty Council on the basis of leadership, service and character. All teachers have an opportunity to evaluate each candidate's character based on personal experience with the applicant. Members are inducted into National Honor Society at a formal induction ceremony held each fall. The organization meets monthly during club period. A main function of the club is to render service; N.H.S. members are required to perform a minimum of 5 hours of community service per school year. In addition, members must also perform a minimum of 5 hours of service to the organization by participating in N.H.S. sponsored service projects.

PENN MANOR HIGH SCHOOL SUMMER SCHOOL**General Information:**

Students who fail to meet the course requirements in classes required for graduation need to retake the courses through a summer remediation program. Parents of students who have failed a class will receive information on summer programs in the spring semester of the school year. Students are expected to fulfill all the requirements established by these programs if they wish to receive credit for the course.

GRADUATION PROJECT

To obtain a high school diploma from the Penn Manor School District every student is required to complete a graduation project to meet the requirements. **The Graduation Project is part of the Penn Manor High School curriculum and a Pennsylvania Department of Education requirement.** The guidelines may be modified to meet the needs of various students and the community, but the project itself is intended to be one of the most valuable experiences we can provide to a young adult.

I PURPOSE

The Graduation Project should provide an opportunity for students to explore an area of interest or a possible career. It should stimulate self-motivation and increase knowledge and communication skills. Each project has three distinct parts -- the presentation, the product itself or documentation of the work done, and a written paper.

II TYPES OF PROJECTS

Research Project: The student will investigate and research an approved topic and demonstrate proper use of research techniques. An extensive paper (10-12 typed pages in MLA style) with the oral presentation explaining the results of the students' investigation will complete the project.

Examples Include:

Researching genealogy/creating family tree
Determining why certain athletes receive injuries
Researching shopping behavior and designing advertising campaign.
Scientific Research Project: The students will investigate, research, design and carry out an original experiment. A formal paper (minimum of 10 pages in an accepted scientific style), a visual display, an oral presentation explaining the results of the student's investigation and participation in an outside science competition will complete the project.

Examples include:

Effect of Different Mediums on Sound Frequency
Effect of Fertilizers on Oxygen levels in Water
Effect of Different Dyes on the Power Output of a Photovoltaic Cell
Service Project: The student will volunteer (NOT for service learning credit) to serve at a recognized non-profit community organization for a minimum of 30 hours. Students must submit a journal of their experience, and a log of their hours, including the community contact information to verify service provided.

Examples Include:

Volunteering for a political campaign
Volunteering at the Water Street Mission
Volunteering to coach a Little League Baseball team

Exhibit / Demonstration / Performance: The student will create original works of art, perform an original (or perfect the performance of a pre-existing) musical composition, demonstrate a skill or acquired talent, or perform some other approved activity. A journal to document the process of the project from beginning to completion, record of time spent, materials used, rehearsals and research, as well as a three page paper must also be submitted.

Examples include:

Creating a gallery show of original art
Performing an extended scientific experiment and documenting results
Rebuilding an antique car motor close to functioning condition
Cultural or Historical Experience Project: The student will participate in an experience with in-depth exposure to another culture or time period. Students must design an agenda or itinerary, keep a journal and photographic or video record of the student's experiences and reactions, and write a five page paper of outcomes from the cultural experience

Examples include:

Housing an exchange student for a summer/year
Summer study in another country
Extended (repeated visits) historic visitation to an approved site

III ASSESSMENT/EVALUATION

Each aspect of the project will be evaluated as Advanced, Proficient, Basic, or Below Basic. All aspects of the project must be rated as Proficient or Advanced in order to fulfill the requirements. Any area of the project that is rated as Basic or Below Basic must be redone.

1. Each student is required to present their project to an evaluation panel for evaluation. Presentations are typically scheduled in November on early dismissal dates.
2. Initial approval of the project topic is required. Proposal forms will be distributed and evaluated by the graduation project committee. These forms must be submitted by January of the student's junior year.
3. Each aspect of the project -- the presentation, the product or documentation, and the required paper will be evaluated according to the following criteria: Advanced, Proficient, Basic, or Below Basic.
4. Each student must complete and earn a minimum score of Advanced or Proficient on all three aspects of his/her project in order to successfully complete the entire graduation project. Any aspect of the project that is unacceptable will need to be revised and resubmitted.

5. If the presentation aspect itself is deemed unacceptable, students will be required to re-present their project again at a later date.
6. Members of the evaluation panel are expected to complete an evaluation form. Students will receive a copy of the completed form after all presentations are completed.

The project will require students to utilize the skills of analysis, synthesis and evaluation. The project should evolve from the student's high school experiences, but cannot include any work that was completed as part of a course, or as part of their ongoing employment.

PROJECT TIMELINE

- Junior Year -**
- Fall** - Received project guidelines. Formulate a proposal for your project.
 - January** - Project proposal forms due from all juniors.
 - March/April** - Graduation project committee will review proposals to ensure that requirements will be met and offer feedback if necessary.
 - May-August** - Students will work to complete their projects.
- Senior Year -**
- September** - Receive presentation scheduling form to list any equipment needed.
 - November** - Early dismissal dated to accommodate presentation.

STUDENT ASSISTANCE PROGRAM

The Penn Manor High School **Student Assistance Team** is designed to help students by identifying issues and by intervening to help them overcome barriers to their learning and success. Each school district forms a **SAP TEAM** of trained staff that helps identify problems and makes recommendations to assist the students and the parents.

HOW DOES THE SAP TEAM WORK?

A student can be referred to the **Sap Team** by faculty, parents, or other students when there is a concern about the student's well being. After a student is referred, the team gathers information from School staff about how the student is currently functioning and develops an intervention plan to assist the student. This plan may involve: having a team member **monitor** the student's progress, having a team member be a **mentor** for the student, inviting the student to be in a **support group**, conducting a formal clinical **assessment** of the student's needs, or **referring** the student and parents to professional service providers.

PMHS SAP Team Members

| | |
|-----------------------------------|-----------------------------|
| Mr. Eby, Assistant Principal | Mrs. Long, Counselor |
| Mrs. Butterfield, Nurse | Mrs. May, Teacher |
| Ms. Roberts, Probation Officer | Ms. Pace, Teacher |
| Mrs. Frey, Teacher | Mrs. Meckley, Social Worker |
| Ms. Pollock, Asst. Superintendent | Mrs. Ostrowski, Counselor |
| Mr. Yearsley, Counselor | Mr. Hanna, Club Advisor |
| Dr. Hoepfel, Psychologist | Mrs. Rottmund, Teacher |
| Officer Hottenstein, SRO | Mr. Wainman, Teacher |
| Mr. Knapp, Teacher | Mr. Weidner, Teacher |
| Mr. Donmoyer, SAP Team Leader | Mrs. Saragosa, Teacher |

For more information about **Student Assistance** please contact:

Darrin Donmoyer @ 872-9520 ext. 1814

Or email: darrin.donmoyer@pennmanor.net

Other information with links:

www.pennmanor.net

www.sap.state.pa.us

Offense/Punishment Chart 2007/2008

Disciplinary violations can result in loss of privileges, such as parking permits. Seniors who have an accumulation of disciplinary violations may not be eligible to participate in senior activities such as prom, senior picnic, etc.

Drug and Alcohol Policy:

1. If a student *mimics* use, possession, transfer, or being under the influence of drugs, alcohol, mood-altering substances or medications (including drug look-a-likes), parents will be notified and the student will be suspended. The student will be referred to the Student Assistance Program (SAP) and an assessment will be conducted by a SAP assessor to determine the student's level of risk and to make recommendations.
2. If a student is in **possession** of drug-related paraphernalia, drugs, alcohol, mood-altering substances or medications, parents will be notified and the student will be suspended.
3. The student will be referred to the Student Assistance Program (SAP) and an assessment will be conducted by a SAP assessor to determine the student's level of risk and to make recommendations. Police will be notified in accordance with the law.
4. If a student **transfers** drug-related paraphernalia, drugs, alcohol, mood altering substances or medications parents will be notified and the student will be suspended. The student will be referred to the Student Assistance Program (SAP) and an assessment will be conducted by a SAP assessor to determine the student's level of risk and to make recommendations. Police will be notified in accordance with the law.
5. If a student is found **using** drug-related paraphernalia, drugs, alcohol, mood-altering substances or medications parents will be notified and the student will be suspended. The student will be referred to the Student Assistance Program (SAP) and an assessment will be conducted by a SAP assessor to determine the student's level of risk and to make recommendations. Police will be notified in accordance with the law.

In all drug or alcohol offenses the administration will convene a Judicial Review Committee Hearing for further disposition of the case. This includes a determination of possible expulsion from school and the conditions for reinstatement.

Tobacco Policy:

Students attending the Penn Manor School District are prohibited from possessing or using cigarettes or other tobacco products in any building on district grounds or on district vehicles used for transportation at any time. This includes the time when students are going to and leaving school. Students may not bring smoking paraphernalia to school. Tobacco products discovered in the possession of a student will be confiscated. This includes a possession of mimic tobacco products.

The Possession of Tobacco Products:

- 1st offense: Cigarettes, lighters, matches, pipes, etc brought to school will be confiscated, letter sent home to parents and a \$10.00 fine
- 2nd offense: Will result in confiscation, parent conferences and a \$25.00 fine
- 3rd offense: Confiscation, parent conference, 3 days out of school suspension and a \$25.00 fine
- 4th offense: referral to District Magistrate for prosecution under Act 145 of 1996-up to a \$50.00 fine and \$32.00 court cost

The Use of Tobacco Products:

- 1st offense: letter and a \$25.00 fine
- 2nd offense: parent conference and a \$50.00 fine
- 3rd offense: parent conference, 3 days out of school suspension and a \$50.00 fine
- 4th offense: referral to District Magistrate for prosecution under Act 156 of 1996- up to a \$50.00 fine and \$32.00 court cost

The Suspicion of Smoking/Using Tobacco Products:

- 1st offense: warning and letter sent home
- 2nd offense: 1 hour detention and letter sent home
- 3rd offense: 2 hours detention and letter sent home
- 4th offense: principal's hearing

Fighting (physical confrontation):

- 1st offense - 3 days OSS, parental conference required
- 2nd offense - 5 days OSS
- 3rd offense - 10 days OSS, principal's hearing
- 4th offense - 10 days OSS, administrative or Judicial Review

Our policy for fighting is to involve police and prosecute as appropriate.

Cutting Class:

- 1st offense - 2 hours detention
- 2nd offense - Saturday School, warning letter sent (subsequent referrals will result in OSS and mandatory parent conference)
- 3rd offense - 3 days OSS, parental conference required

Truancy - Absences Without Parental Knowledge - Leaving School

Without Permission: (cutting 2 or more classes)

Penn Manor Reserves the Right to Fine Individuals for Violations of the Mandatory Attendance Laws.

- 1st offense - Saturday School (5 hrs. detention), parental conference required
- 2nd offense - Immediate loss of parking pass, 2 Saturday Schools (10 hrs. detention), parental conference required
- 3rd offense - Discipline pending result of a principal's hearing

Attendance Forgery:

- Meeting with administration and disciplinary actions
- Regardless of student's age, all excuses and permission slips must be signed by a legal guardian

Unexcused/Unlawful Absence:

***Penn Manor reserves the right to fine individuals for violations of the mandatory attendance laws.**

- 3 days - official letter to parents
- 4th day - 1 hour detention, meeting with an administrator
- 5th day - 2 hours detention, meeting with an administrator and loss of parking privileges
- 6th day - Saturday School (5 hrs. Detention), meeting with an administrator. **Subsequent unexcused/unlawful absences will result in further disciplinary actions**

Unexcused Tardies to School (15min. or Less)

- 3rd tardy - warning letter to parents
- 4th tardy - Meeting with an administrator, 1 hour detention
- 5th tardy - 2 hours detention
- 6th tardy - 3 hours detention, and loss of parking privileges
- Additional tardies will result in further disciplinary actions

Unexcused Tardies to School (15min. to 60min.)

- 3rd Tardy- 1 hour detention
- 4th Tardy- 2 hours detention
- 5th Tardy- 3 hours detention, and loss of parking privileges
- Additional tardies will result in further disciplinary actions

Unexcused Tardies to School (Over 60min.)

- 1st Tardy- 2 hours detention
- 2nd Tardy- Saturday School (5 hours detention)
- 3rd Tardy- 2 Saturday Schools (10 hours detention), and loss of parking privileges
- Additional tardies will result in further disciplinary actions

Tardy to Class:

- First 3 tardies will be handled and recorded by each classroom teacher
- 4th tardy - 1 hour detention and send letter
- 5th tardy - 2 hours detention
- 6th tardy - 3 hours detention and parent conference
- Additional tardies- Saturday School/out of school suspension
- **Seniors who have accumulation of disciplinary violations may not be eligible to participate in senior activities such as prom, senior picnic, etc.**

Unauthorized Student Areas:

- 1st offense - 2 hours detention
- 2nd offense - Saturday School
- 3rd offense - discipline pending meeting with administrator

Inappropriate Dress: shorts or skirts above mid-thigh, tank tops, muscle shirts, inappropriate messages, or anything that is a distraction to the educational environment:

- 1st offense - turn inside out/change clothes
- 2nd offense - 1 hour detention, change clothes and notify parent
- 3rd offense - meeting with administrator
- If students are unable to change clothes, we will make every attempt to provide an appropriate garment

Handbook Violation: stolen handbook, changing time, and forgery:

- 1st offense - 2 hours detention
- 2nd offense - 2 hours detention, and notify parent

Frequent Misconduct Referrals:

(Allows for administrative discretion)

Accumulation of referrals - Subsequent disciplinary action pending meeting with administration and loss of parking privileges including the following school year**Defacing School Property: Pending on severity of incident:**

- Appropriate disciplinary action pending meeting with administration. Restitution and payment will be made by student

Harassment of Students/Bullying (racial innuendo, etc.):

- 1st step - conference with both sides/detention or immediate suspension - Peer Mediation/letter sent to parents
- 2nd step - detention/suspension, parental conference and required additional counseling and possible police involvement

Failure to Attend Detention /Saturday School (unauthorized):

- Detention and Saturday School hours will double
- **Note:** Additional failures to attend will result in further disciplinary actions

Disrespect Toward Authority, Failure to Follow a Directive:

- 1st offense - discipline action depending on severity, parental conference may be required and letter sent
- 2nd offense - 3-5 days OSS, parental conference required

Throwing food in cafeteria:

- Student will be required to clean the cafeteria. Severe offenses may result in disciplinary actions, which may include lunch detention and OSS

Obscenity Directed Toward a Staff Member:

- 1st offense - automatic 3 days OSS, parental conference required
- Subsequent offense: Discipline pending meeting with administrator

Possession of a weapon

- Copy of Penn Manor School District policy on weapons is available for review in the main office and the district calendar
- Refer to Gun Free School Act, Act 26 of 1995

Computer Policy

- "The Internet Acceptable Use Policy" clearly states what is expected of individuals. Violators of the policy may be subject to additional disciplinary action up to and including suspension or expulsion

Violation of Drug and Alcohol Policy:

- Copy of Penn Manor School District Drug and Alcohol policy is available for review, on page 31 of this handbook, in the main office and in the district calendar

Swearing - language unbecoming in the school:

- (Not directed at an individual.)
- 1st offense - 1 hour detention
- 2nd offense - 2 hours detention
- 3rd offense - 3 hours detention and parent conference

DETENTION/ SATURDAY SCHOOL ASSIGNMENTS:

| | Tue. | Wed. | Sat. | Tue. | Wed. | Sat. |
|-------|------|------|------|------|------|------|
| Sept. | 4 | 5 | 8 | 5 | 6 | 2 |
| | 11 | 12 | --- | 12 | 13 | --- |
| | 18 | 19 | 22 | 19 | 20 | 23 |
| | 25 | 26 | --- | 26 | 27 | --- |
| Oct. | 2 | 3 | --- | 4 | 5 | 8 |
| | 9 | 10 | 13 | 11 | 12 | 15 |
| | 16 | 17 | 20 | 18 | 19 | --- |
| | 23 | 24 | --- | 25 | 26 | 29 |
| | 30 | 31 | --- | --- | --- | --- |
| Nov. | 6 | 7 | 3 | 1 | 2 | 5 |
| | 13 | 14 | 17 | 8 | 9 | 12 |
| | 20 | 21 | --- | 15 | 16 | --- |
| | 27 | 28 | --- | 22 | 23 | 26 |
| Dec. | 4 | 5 | 1 | 29 | 30 | --- |
| | 11 | 12 | 8 | --- | --- | 3 |
| | 18 | 19 | --- | 6 | 7 | 10 |
| | --- | --- | --- | 13 | 14 | 17 |
| Jan. | 8 | 9 | 5 | 20 | 21 | --- |
| | 15 | 16 | 12 | 27 | 28 | 31 |
| | 22 | 23 | --- | 3 | 4 | --- |
| | 29 | 30 | --- | --- | --- | --- |

**PENN MANOR HIGH SCHOOL
POLICY ON PLAGIARISM**

Penn Manor's plagiarism policy is intended to reinforce this simple truth: Honesty is the best policy. Plagiarism is a serious offense, and it will be treated seriously. The following behaviors constitute plagiarism:

1. Copying someone else's research. Representing another student's work as one's own.

2. Claiming someone else's words, ideas, plots, characters, theories, opinions, concepts, or designs as one's own by failing to give credit to the writer or creator. Instances of this include:
 - a. Paraphrasing the ideas of others, or recopying someone else's words with the substitution of synonyms or changes in syntax.
 - b. Copying sentences, phrases, paragraphs, or pages from a source or sources without providing documentation.

The high school currently subscribes to a plagiarism detection service. Teachers may require students to submit papers to this on-line service. While plagiarism is a form of theft and is punishable as such, there is no reason why any student should plagiarize if proper research procedures are consistently followed. These procedures will be reviewed by the teacher assigning the research. If a student is suspected of having plagiarized on an assignment, the following actions, as appropriate, will occur:

1. Student will be asked to provide hard copies of all resources. No grade will be given for the assignment until all sources have been provided and the teacher has had a reasonable amount of time to review them.
2. The teacher may ask another faculty member to review the paper independently.
3. If a determination of plagiarism is made, the student will receive a grade of 0. Parents or guardians will be notified, and both the administration and appropriate counselor(s) will be informed.
4. If plagiarism is determined and successful completion of the research paper is a course requirement, the student will fail the course. If the research project is not a course requirement, the weighted zero will be part of the student's numerical average. In this case, the student may or may not fail the course.
5. A second instance of plagiarism will result in automatic failure of the course.

INTERNET POLICY

Acceptable use of Internet and Network Resources Policy

Purpose: Internet and network resources will be used to support the district curriculum, the educational community, projects between schools, communications and research for district students, teachers, administrators, and all other staff.

Procedures: Penn Manor School District reserves the right to log and monitor Internet use, computer network activity, and files/server space utilization by district users. Network storage areas may be treated like school lockers. Network administrators may review student and staff

files and communications to maintain system integrity and ensure that students and staff are using the system responsibly. Users should not expect that files stored on district servers or computers will be private. Penn Manor School District reserves the right to remove a user account from the network to prevent further unauthorized or illegal activity. Penn Manor School District reserves the right to log and monitor e-mail. Only the owner of the account will use network accounts for its authorized purpose. Network users shall respect the privacy of other users of the system. Students must complete an application and have the specific permission of a parent/guardian to access the Internet. Staff must sign the acceptable use agreement in order to have e-mail and Internet access.

Acceptable Use Policy:

1. Use of the Internet and computer technology must be in support of the educational program and Penn Manor School District.
2. The Internet and computer technology will not be used for illegal activity, lobbying, to transmit offensive materials, hate mail, discriminating remarks, or to obtain or distribute obscene or pornographic material.
3. Users shall not intentionally seek information on, modify or obtain copies of files, other data, or passwords belonging to other users, or misrepresent other users on the network.
4. Use of school technology or Internet connectivity for fraudulent or illegal copying, communication, taking or modification of material in violation of law is prohibited and will be referred to appropriate authorities.
5. Loading, distribution, or use of unauthorized games, programs, music, files or other electronic media is prohibited.
6. The illegal use of copyrighted software, materials or files is prohibited.
7. The network will not be used to disrupt the work of others, hardware or software shall not be destroyed, modified or abused in any way.
8. The user will be responsible for damages to the equipment, systems and software resulting from deliberate or willful acts.
9. Any attempt to circumvent security measures on the school district network is prohibited. Users should report any security problems to the school administration.

Consequences for Inappropriate Use/Internet Violations:

Failure to follow the procedures and prohibitions listed above may result in the loss of the right of access to network resources. Other appropriate disciplinary procedures may take place, as needed, for students and employees. Illegal use of the network, intentional deletion or damages to files or data belonging to others, copyright violations or theft of services may be reported to the appropriate legal authorities for possible prosecution.

OUT OF SCHOOL SUSPENSION

Out of school suspension is reserved for severe discipline, failure to serve detentions or repetitive disciplinary problems. Students may not attend extracurricular activities when suspended. Students are also not allowed at their places of employment during school hours. A parent conference is required for reinstatement. It is the student's responsibility upon reinstatement to gather and complete all assignments/tests missed during suspension time. Parents will be notified of suspension with both a phone call from a principal and a letter. **Out-of School Suspension will also be assigned for misbehaviors that are of a serious nature, jeopardizing the health, safety and welfare of those involved such as: Illegal use or possession of poison, weapons or fireworks, drugs or alcoholic beverages; violation of local, state or national law; blatant disrespect for school authorities; persistent violation of school regulations; fighting.**

DETENTION/SATURDAY SCHOOL POLICY

Tuesday and Wednesday – 2:55–3:55 p.m.

Detention(s) will be assigned as a consequence of violating school regulations.

1. **Detention will be held after school Tuesday and Wednesday @ 2:55 p.m. to 3:55 p.m. in room 231.** Detention will not be held on Fridays nor the day preceding vacation days.
2. Students will receive 24-hour notice of all after-school detentions to be served. It is the responsibility of the student to inform parents or guardians of the date(s) of their scheduled detention(s).
3. **Saturday School will be held from 7:00 a.m. to 12:00 p.m. in the school's Central Complex/Cafeteria Area.**
4. Only the principal or assistant principals may excuse a student from detention.
 - Students must make their requests in writing prior to noon of the detention date.

- Students will be excused for medical or dental appointments but must provide verification from a doctor to the administrator who assigned the detention.

DETENTION RULES

1. Students who are reporting to detention should bring all the items they need to take home. Students will not be permitted to go to lockers or to other locations after detention.
2. The atmosphere of detention will be one of individual study. Students are not permitted to sleep. Failure to bring appropriate work or to remain on task may result in the assignment of another detention. Students should use time to complete homework assignments, study notes, or read.
3. Disruption in detention will result in dismissal from detention and will be reassigned.
4. In the event that a student is absent from school on the day they are scheduled to serve a detention, they are responsible for rescheduling the detention with an administrator.
5. Unexcused absences from Saturday School will result in the rescheduling of the missed Saturday School and assignment of an additional Saturday School. If a student continues to miss Saturday School, an out-of-school suspension may result. The Saturday School must still be served.
6. Any detention not completed at the end of the school year must be served during the summer. Graduating seniors will not receive a diploma until all detentions have been served.

SURVEILLANCE CAMERAS

The Penn Manor High School wants to ensure the safety of its students while they are in school. As a part of our efforts, the high school has placed surveillance cameras throughout the building. This has been done to deter and detect student misbehaviors, and hold them accountable for their actions.

IMPORTANT LINKS

District Website: www.pennmanor.net
 High School Website: www.pennmanor.net/schools/hs
 Guidance Department: www.pennmanor.net/schools/hs/counseling
 Sports Schedules: www.highschoolsports.net
 Ice Hockey: www.cpihl.com/TeamPortal/Schedule.cfm?TeamID=36

Exhibit B

REVISÉ:

221. DRESS AND GROOMING - Pg. 2

| | |
|---|---|
| <p>Title 22 Sec. 12.11</p> <p>PA Code Title 22 Sec. 12.11</p> | <p>The Superintendent shall ensure that all rules implementing this policy impose only the minimum necessary restrictions on the exercise of the student's taste and individuality.</p> |
|---|---|

Exhibit C

No. 220

PENN MANOR SCHOOL DISTRICT

SECTION: PUPILS

TITLE: STUDENT EXPRESSION

ADOPTED: February 8, 1999

REVISED:

| | |
|---|---|
| | 220. STUDENT EXPRESSION |
| 1. Purpose Title 22 Sec. 12.9 SC 511 | The Board respects the rights of students to express themselves in word or symbol and to distribute materials as a part of that expression, but it also recognizes that the exercise of that right must be limited by the district's responsibility to maintain an orderly school environment and to protect the rights of all members of the school community. |
| 2. Authority SC 511 Title 22 Sec. 12.9 | <p>The Board reserves the right to designate and prohibit manifestations of student expression which are not protected by the right of free expression because they violate the rights of others. Such expressions are those which:</p> <ol style="list-style-type: none"> 1. Libel any specific person or persons. 2. Seek to establish the supremacy of a particular religious denomination, sect or point of view. 3. Advocate the use or advertise the availability of any substance or material which may reasonably be believed to constitute a direct and substantial danger to the health of students. 4. Are obscene or contain material deemed to be harmful to impressionable students who may receive them. 5. Incite violence, advocate use of force, or urge violation of law or school regulations. 6. Advertise goods or services for the benefit of profitmaking organizations. 7. Solicit funds for nonschool organizations or institutions when such solicitations have not been approved by the Board. |

220. STUDENT EXPRESSION - Pg. 2

| | |
|--|---|
| <p>Title 22 Sec. 12.9(g)</p> | <p>The Board reserves the right to halt the distribution of unprotected materials.</p> <p>The Board shall require that students who wish to distribute materials submit them for prior review. Where the reviewer cannot show within two (2) school days that the materials are unprotected, such material may be distributed. Appeal of the prior review to the Superintendent and the Board shall be permitted in accordance with district rules.</p> |
| <p>Title 22 Sec. 12.9(i)</p> | <p>The Board shall require that distribution of printed materials takes place only at the places and during the times set forth in the rules and regulations of this district in order that such distribution not interfere with the orderly operation of the schools.</p> |
| <p>3. Delegation of Responsibility</p> | <p>The Superintendent shall develop rules and regulations for the distribution of printed material.</p> |

Exhibit D

HARTMAN UNDERHILL & BRUBAKER LLP
ATTORNEYS AT LAW
221 EAST CHESTNUT STREET
LANCASTER, PA 17602

ANDREW F. LUCARELLI
WILLIAM C. McCARTY
ALEXANDER HENDERSON, III
ROBERT M. FRANKHOUSER, JR.
THOMAS W. BERGEN
MICHAEL W. BABIC
MARK STANLEY
MARK E. LOVETT
KEVIN M. FRENCH
STEPHEN R. LAZUN
JOSHUA D. COHEN
KIM R. SMITH
STACEY L. MORGAN
RORY O. CONNAUGHTON
JEFFREY C. GOSS
JOHN A. MATEYAK
THEODORE L. BRUBAKER
ROBERT W. PONTZ

BRETT D. JACKSON
JEFFREY P. OUELLET
WILLIAM J. ZEE, III
JOHN J. HERMAN

OF COUNSEL:
CHRISTOPHER S. UNDERHILL
MARK L. JAMES

JOHN I. HARTMAN, JR.
(1919-2000)
THEODORE L. BRUBAKER
(1911-2002)
GEORGE T. BRUBAKER
(1942-2006)
HARRY ST.C. GARMAN
(1945-2006)

TELEPHONE: (717) 299-7254 FACSIMILE: (717) 299-3160

FAX TRANSMISSION COVER SHEET

DATE: January 8, 2008

TO: Leonard C. Brown, III, Esquire

FAX NUMBER: (717) 299-5115

FROM: Robert M. Frankhouser, Jr., Esq. NO. OF PAGES: 2 (exclud this sheet)

MESSAGE:

OPERATOR: Vicki Brill

FILE NO.: 4340.444

CLIENT NAME: Penn Manor S.D.

MATTER: Donald Miller

THE PAGES COMPRISING THIS FACSIMILE TRANSMISSION CONTAIN CONFIDENTIAL INFORMATION. THIS INFORMATION IS INTENDED SOLELY FOR USE BY THE INDIVIDUAL OR ENTITY NAMED AS THE RECIPIENT HEREOF. IF YOU ARE NOT THE INTENDED RECIPIENT, BE AWARE THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR USE OF THE CONTENTS OF THIS TRANSMISSION IS PROHIBITED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY SO THAT WE MAY ARRANGE TO RETRIEVE THIS TRANSMISSION AT NO COST TO YOU. THANK YOU.

PLEASE CALL US COLLECT IMMEDIATELY IF THERE ARE ANY PROBLEMS DURING THIS TRANSMISSION:
(717) 299-7254, Ext. 120 or 123.

HARTMAN UNDERHILL & BRUBAKER LLP
ATTORNEYS AT LAW

221 EAST CHESTNUT STREET
LANCASTER, PENNSYLVANIA 17602-2782

(717) 299-7254

FAX (717) 299-3160

Web Site: www.hublaw.com

Direct e-mail: hbff@hublaw.com

January 8, 2008

COUNSEL
CHRISTOPHER S. UNDERHILL
MARK L. JAMES

JOHN I. HARTMAN, JR.
(1919-2000)

THEODORE L. BRUBAKER
(1911-2002)

GEORGE T. BRUBAKER
(1942-2006)

HARRY ST. C. GARMAN
(1945-2006)

ANDREW F. LUCARELLI
WILLIAM C. MCCARTY
ALEXANDER HENDERSON, III
ROBERT M. FRANKHOUSER, JR.
THOMAS W. BERGEN
MICHAEL W. BABIC
MARK STANLEY
MARK E. LOVETT
KEVIN M. FRENCH
STEPHEN R. LAZUN
JOSHUA D. COHEN
KIM R. SMITH
STACEY L. MORGAN
RORY O. CONNAUGHTON
JEFFREY C. GOSS
JOHN A. MATEYAK
THEODORE L. BRUBAKER
ROBERT W. FONTZ
BRETT D. JACKSON
JEFFREY P. OUELLET
DENISE E. ELLIOTT
WILLIAM J. ZEE, III
JOHN J. HERMAN

Leonard G. Brown, III, Esquire
Clymer & Musser, P.C.
408 West Chestnut Street
P.O. Box 1766
Lancaster, PA 17608-1766

VIA FACSIMILE: (717) 299-5115
AND FIRST CLASS MAIL

RE: Penn Manor School District - Donald Miller

Dear Mr. Brown:

As you are aware, this firm serves as the solicitor for the Penn Manor School District Board of School Directors ("Board"). On January 7, 2008 I met with the Board to discuss the claims and demands contained in your December 7, 2007 letter to Donald Stewart, Superintendent of Schools.

In the event that your client wishes to proceed with your threatened litigation the Board has decided to vigorously defend its policy and the application of the policy in this instance. Under the circumstances, no disciplinary action will be taken against Donald Miller concerning the incident described in your December 7, 2007 letter until this matter is resolved. We are however revising the policy in several areas including the elimination of the language relating to "the supremacy of a particular religion, denomination, sect or point of view."

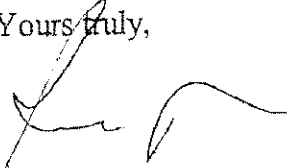
It is the Board's position that under the existing policies and in accordance with the student handbook, students may not wear clothing to school that advocates the use of force or urges the violation of law or school regulations. The shirt in question contains the image of a firearm and clearly advocates illegal behavior. The

Leonard G. Brown, III, Esquire
January 8, 2008
Page 2

District is confident that its position on this issue is appropriate in light of the contours of First Amendment jurisprudence and the pedagogical mission of the school.

We believe this resolution appropriately addresses the issues raised in your letter. Should you have any additional questions please do not hesitate to contact me.

Yours truly,



Robert M. Frankhouser, Jr.

RMF:wjz\00500823

cc: Mr. Donald F. Stewart, Superintendent
Mr. Christopher L. Johnston, Administrative Assistant for Business
Mr. C. Willis Herr, Board President
Kim R. Smith, Esquire

VERIFICATION OF COMPLAINT

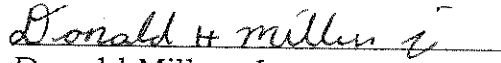
I, Donald Miller, III, a citizen of the United States and a resident of Pennsylvania, have read the foregoing Verified Complaint Regarding Civil Rights Violations, and the factual allegations therein, and declare, under penalty of perjury as defined by the laws of the United States of America, the foregoing factual allegations are true and correct to the best of my knowledge, information and belief.

Dated: 1/14/08

Donald Miller III
Donald Miller, III

VERIFICATION OF COMPLAINT

I, Donald Miller, Jr., a citizen of the United States and a resident of Pennsylvania, have read the foregoing Verified Complaint Regarding Civil Rights Violations, and the factual allegations therein, and declare, under penalty of perjury as defined by the laws of the United States of America, the foregoing factual allegations are true and correct to the best of my knowledge, information and belief.


Donald Miller, Jr.

Dated: 1/14/8

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 1/14/08

Donald H Miller
Donald Miller, III